

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.: 6,766,040

Issue Date: July 20, 2004

Application No.: 09/677,257\

Filing Date: October 2, 2000

Title: SYSTEM AND METHOD FOR CAPTURING, ENROLLING AND  
VERIFYING A FINGERPRINT

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 C.F.R. 1.378(C))**

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

In accordance with the provisions of 37 C.F.R. § 1.378(c), Biometric Solutions, LLC the  
assignee of the entire right, title, and interest in the above-identified patent – hereby petitions the  
United States Patent and Trademark Office to accept unintentionally delayed payment of the  
maintenance fee to the above-identified patent. The particulars of this petition are as follows.

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 C.F.R. 1.27.

2. MAINTENANCE FEE (37 C.F.R. 1.20 (e)-(g))

| NOT Small Entity                  |             |        |  | Small Entity                                 |             |        |  |
|-----------------------------------|-------------|--------|--|--|-------------|--------|--|
| Amount                            | Fee         | (Code) |  | Amount                                       | Fee         | (Code) |  |
| <input type="checkbox"/> \$ _____ | 3 ½ yr fee  | (1551) |  | <input type="checkbox"/> \$ _____            | 3 ½ yr fee  | (2551) |  |
| <input type="checkbox"/> \$ _____ | 7 ½ yr fee  | (1552) |  | <input checked="" type="checkbox"/> \$ 1,450 | 7 ½ yr fee  | (2552) |  |
| <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (1553) |  | <input type="checkbox"/> \$ _____            | 11 ½ yr fee | (2553) |  |

MAINTENANCE FEE BEING SUBMITTED \$ 1,450.00

3. SURCHARGE

The surcharge required by 37 C.F.R. 1.20(i)(2) of \$ 1,640 (Fee Code 1558) must be paid  
as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED: \$ 1,640.00

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5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 25.00 (Biometric Solutions, LLC previously provided a check for \$3,065)

☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_

☐ Payment by credit card. Form PTO-2038 is attached

6. OVERPAYMENT

As to any overpayment made please

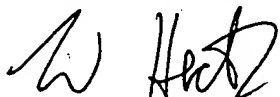
☐ Credit to Deposit Account No. \_\_\_\_\_

☒ Send refund check

8. STATEMENT

Upon information and belief informed by the enclosed Declaration of Todd Morici Regarding Unintentional Delay in Payment of Maintenance Fee, the delay in payment of the maintenance fee to this patent was unintentional.

7. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



\_\_\_\_\_  
Signature(s) of Petitioner(s)

December 4, 2012

\_\_\_\_\_  
Date

William A. Hector

\_\_\_\_\_  
Typed or printed names(s)

66,823

\_\_\_\_\_  
Registration No., if applicable

(212) 613-2087

\_\_\_\_\_  
Telephone Number

One Pennsylvania Plaza, 37<sup>th</sup> Floor

\_\_\_\_\_  
Address

New York, NY 10119-3701

\_\_\_\_\_  
Address

ENCLOSURES

- ☒ Maintenance Fee Payment
- ☒ Surcharge under 37 C.F.R. 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☒ Declaration of Todd Morici Regarding Unintentional Delay in Payment of Maintenance Fees

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**DECLARATION OF TODD MORICI REGARDING UNINTENTIONAL DELAY IN  
PAYMENT OF MAINTENANCE FEE**

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450


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I, Todd Morici, hereby declare and state as follows:

1. I currently serve as Chairman and President of Biometric Solutions, LLC.
2. Biometric Solutions, LLC is the assignee of the entire right, title, and interest in the above-identified patent. Upon information and belief, the assignment to Biometric Solutions, LLC of the entire right, title, and interest in the above-identified patent is recorded at Reel 014343 and Frame 0989 of the U.S. Patent & Trademark Office assignment records.
3. Upon information and belief, the period for paying the 7½ year maintenance fee for the above-identified patent expired on July 20, 2012.
4. As the assignee of the entire right, title, and interest in the above-identified patent, Biometric Solutions, LLC was responsible for paying the 7½ year maintenance fee before the expiry date.
5. The delay in payment of the 7½ year maintenance fee for the above-identified patent was unintentional.

Respectfully submitted,

Dated: November 19<sup>th</sup>, 2012

  
**TODD MORICI**  
Chairman and President  
Biometric Solutions, LLC